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EXCISE DEPARTMENT

NOTIFICATION

The 9th May, 2025

S.R.O No.294/2025— In exercise of the powers conferred by Section 90 of the Odisha Excise Act, 2008, (Odisha Act 10 of 2013), the State Government do hereby make the following rules further to amend the Odisha Excise Rules, 2017, namely:-

1. Short title and commencement :- (1)These rules may be called the Odisha Excise (Amendment) Rules, 2025.

(2)They shall come into force on the date of their publication in the *Odisha Gazette*.

2. In the Odisha Excise Rules, 2017, for rule 79, the following rules shall be substituted , namely:-

"79. Operations in distilleries and payment of overtime fees etc.-"

(1) In a distillery, storage and issue of spirits, which require the presence of an Excise Officer shall not be carried out, subject to the provisions of this rule, on Sundays. other public holidays and specially declared holidays:

Provided that, if, in any case, the unit requires the presence of an Excise Officer for storage and issue of spirits beyond the scheduled hour, the unit shall obtain prior permission of the Commissioner.

(2)The licensee of any distillery shall also so arrange its operations that no Excise Officer or any of his employees need be on duty for more than eight hours per day, which is specified as the scheduled hours of duty per shift, which means eight hours from the scheduled time of start of work without any interval.

(3) If it becomes necessary for the licensee to run the second shift or third shift for storage and issue of spirit, then the unit can do so only in presence of the Excise officer and with the prior approval of the Commissioner.

(4) If the distillery functions for more than one shift for storage and issue of spirits, then additional staff shall be posted as would be determined by the

Commissioner and the cost for payment to such additional staff shall be such as specified under sub-rule (2) of rule 93 and shall be borne by the said unit.

- (5) The Officer-in-charge of distillery unit shall collect the amount due under sub-rule (4) for each day of its operation beyond the scheduled hours and deposit in the account of the concerned D.D.O.-cum-Superintendent, which will be disbursed in accordance with the provisions contained in sub-rule (12) and the Officer-in-Charge shall submit a detailed report to the Superintendent of the district with a copy thereof to the Commissioner, at the end of the month indicating the work done and the number of hours engaged in such unit beyond the scheduled hours of each occasion and the fee realized thereof, for a verification at the level of the Superintendent.
- (6) On Sundays, public holidays or specially declared holidays, the Officer-in-Charge shall not be required to attend to the storage and issue of spirit in the distillery unit, unless a written requisition is received from the licensee and for which overtime fee as specified in sub-rule (4), is claimed and allowed for such attendance.
- (7) A licensee when requiring the presence of the Officer-in-Charge for storage and issue of the spirits in the warehouse of the distillery beyond the scheduled hours specified in sub-rule or on holidays specified in sub-rule (6). he shall submit a written requisition to the Officer-in-Charge indicating the work to be done and the approximate time the work is likely to cover and the hour at which Officer-in-Charge is required to attend.
- (8) All claims for overtime work must be accompanied by a full statement of work done and the time spent, stating the hour and minutes and by a copy of the requisition of the licensee for attendance.
- (9) No claim for overtime work shall be paid by the licensee, until it has been examined and passed by the Superintendent.
- (10) When an Officer attends on a requisition of the licensee made in accordance with the foregoing provisions, the minimum charges, whatever may be the time spent, shall be for one hour and in case of more than the specified hour, the next complete hour to be considered.
- (11) The fee to be charged for each hour of overtime work done shall be one-fifth of a day's pay of the officer concerned.
- (12) The Distillery unit shall disburse the fee for the overtime work to the Account of the D.D.O.-cum-Superintendent, who shall pay the same to the account of

the concerned Officer-in-Charge of the unit after sanction of the same by the Collector of the district as recommended by the Superintendent.

79A. Operations in Bottling Units and Breweries and payment of overtime fees, etc.-

- (1) All operations in bottling units, breweries and other production units except distilleries, which require the presence of an Excise Officer, shall be stopped, subject to the provisions of this rule, on Sundays, other public holidays and specially declared holidays.
- (2) The licensee of bottling units, breweries and other production units except distilleries, shall also so arrange its operations that, no Excise Officer or any of his employees need be on duty for more than eight hours per day, which is specified as the scheduled hours of duty per shift, which means eight hours from the scheduled time of start of work without any interval.
- (3) If it becomes necessary for the licensee to run the second shift and/or third shift of 8 (eight) hours, then he can do so only with the prior permission of the Commissioner.
- (4) If any of the bottling units, breweries and other production units except distilleries functions for more than one shift, additional staff shall be posted as would be determined by the Commissioner and the cost for payment to such additional staff shall be such as specified under sub-rule (2) of rule 93 and shall be borne by the said unit.
- (5) The Officer-in-Charge of the bottling units, breweries and production unit except distilleries shall collect the amount due under sub-rule (4) for each day of its operation beyond the scheduled hours and deposit in the account of the concerned D.D.O.-cum- Superintendent, which will be disbursed in accordance with the provisions contained in sub-rule (12) and the Officer-in-Charge shall submit a detailed report to the Superintendent of the district with a copy thereof to the Commissioner, at the end of the month indicating the work done and the number of hours engaged in such unit beyond the scheduled hours of each occasion and the fee realized thereof, for a verification at the level of the Superintendent.
- (6) On Sundays, public holidays or specially declared holidays, the Officer-in-Charge shall not be required to attend to the operation in the bottling units, breweries and other production unit except distilleries, unless a written

requisition is received from the licensee and for which overtime fee besides the fee specified in sub-rule(4), is claimed and allowed for such attendance.

- (7) A licensee when requiring the presence of the Officer-in-Charge for operation of the bottling units, breweries and other production unit except distilleries beyond the scheduled hours specified in sub-rule (2) or on holidays specified in sub-rule (6), he shall submit a written requisition to the Officer-in-Charge indicating the work to be done and the approximate time the work is likely to cover and the hour at which Officer-in-Charge is required to attend.
- (8) All claims for overtime work must be accompanied by a full statement of work done and the time spent, stating the hour and minutes and by a copy of the requisition of the licensee for attendance.
- (9) No claim for overtime work shall be paid by the licensee, until it has been examined and passed by the Superintendent.
- (10) When an Officer attends on a requisition of the licensee made in accordance with the foregoing provisions. the minimum charges, whatever may be the time spent, shall be for one hour and in case more than the specified hour, the next complete hour to be considered.
- (11) The fee to be charged for each hour of overtime work done shall be one-fifth of a day's pay of the officer concerned.
- (12) The bottling units, breweries and other production units except distilleries shall disburse the fee for the overtime work to the Account of the D.D.O.-cum-Superintendent, who shall pay the same to the account of the concerned Officer-in-Charge of the unit after sanction of the same by the Collector of the district as recommended by the Superintendent.

[No.2765—EXC-POL-0076/2022/Ex.]

By Order of the Governor

GUHA POONAM TAPAS KUMAR

Commissioner-cum-Secretary to Government